

1 Rena Andoh (admitted *pro hac vice*)
2 randoh@sheppardmullin.com.com
SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

3 30 Rockefeller Plaza
4 New York, NY 10112
5 Telephone: (212) 653-8700
Facsimile: (212) 653-8701

6 Lai L. Yip (SBN 258029)
lyip@sheppardmullin.com
7 Four Embarcadero Center, 17th Floor
San Francisco, CA 94111
8 Telephone: (415) 434-9100
Facsimile: (415) 434-3947

9 Travis J. Anderson (SBN 265540)
10 tanderson@sheppardmullin.com
12275 El Camino Real, Suite 100
11 San Diego, CA 92130
Telephone: (858) 720-8900
Facsimile: (858) 509-3691

13 Kazim A. Naqvi (SBN 300438)
14 knaqvi@sheppardmullin.com
1901 Avenue of the Stars, Suite 1600
15 Los Angeles, CA 90067
Telephone: (310) 228-3700
Facsimile: (310) 228-3701

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17 Attorneys for Plaintiff and
Counterdefendant Moog Inc.

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19 **UNITED STATES DISTRICT COURT**
CENTRAL DISTRICT OF CALIFORNIA

20 MOOG INC.,

21 Plaintiff,

22 v.

23 SKYRYSE, INC., ROBERT
24 ALIN PILKINGTON, MISOOK
25 KIM, and DOES NOS.1-50,

26 Defendants.

27 Case No. 2:22-cv-09094-GW-MAR

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[PROPOSED] ORDER GRANTING
PLAINTIFF MOOG INC.'S MOTION
TO ENFORCE COMPLIANCE WITH
THE MARCH 11, 2022 STIPULATED
TRO (DKT. 25), AND FOR
MONETARY AND ADVERSE
INFERENCE SANCTIONS FOR
CONTEMPT AND SPOILATION

1 The Court, having considered Moog, Inc.’s (“Moog”) Motion To Enforce
2 Compliance with the March 11, 2022 Stipulated Temporary Restraining Order (Dkt.
3 25), and for Monetary and Adverse Inference Sanctions for Contempt and Spoliation
4 (the “Motion”) along with other documents in support of and in opposition to the
5 Motion, being fully advised in the matter, and good cause appearing, hereby

6 **ORDERS THAT:**

- 7 1. Moog’s Motion is GRANTED;
- 8 2. The Court will issue an adverse inference for defendant Skyryse, Inc.’s
9 permanent spoliation of 32 potentially relevant files, in the form of an
10 instruction to the jury at any trial that the deleted files were unfavorable
11 to Skyryse, and also that Moog is permitted to address the spoliation at
12 trial;
- 13 3. Within 30 days of the Court’s order, Moog’s experts shall conduct a
14 physical inspection of Skyryse’s systems and electronic devices in
15 Skyryse’s offices on a mutually agreeable week to identify any
16 remaining Moog non-public information on Skyryse’s systems;
- 17 4. Within 14 days of the Court’s order:
 - 18 • Skyryse shall produce all Skyryse-issued electronic devices
19 issued to Lori Bird, Chris Smith, Hussein Khimji, Stephen Wang,
20 Ian Young, Reid Raithel, Ilan Paz, Norman Butler, Amir
21 Hallajpour, Diane Li, Paul Kapuan, David Lee, Mario Brenes,
22 Glenn Shintaku, and Thusa Dinh;
 - 23 • Skyryse shall produce Skyryse’s Google Drive Account;
 - 24 • Skyryse shall permit Moog’s inspection of Skyryse’s Polaron
25 Repository;
 - 26 • Skyryse shall permit inspection of Skyryse’s flight control
27 software source code, updated through the date of this Order; and
 - 28 • Skyryse shall produce defendant Misook Kim’s Mac Laptop.

1 5. Monetary sanctions for reasonable attorneys' fees and costs in the
2 amount of \$34,850 incurred in connection with the Motion are entered
3 in favor of Moog against Skyryse and its counsel, jointly and severally,
4 and payable within 30 days of this Court's order.

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IT IS SO ORDERED.

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Dated: April , 2023

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The Honorable George H. Wu
United States District Court Judge